THE HON'BLE SRI JUSTICE D.S.R. VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

WRIT PETITION NO.3075 OF 2007

Date: 6.3.2007

Between:

Saleem Sultana W/o Wali Mohammed. … Petitioner

And

The Inspector Task Force, Begumpet,
Secunderabad and another. …. Respondents.

ORAL ORDER: **(per D. Appa Rao, J)**

This matter is taken on file as a Taken up Writ Petition on the basis of a telegram issued by Smt. Saleem Sultana W/o Wali Mohammed, resident of Afzalnagar, Teegalguda, Hyderabad about the missing of her husband Wali Mohammed, alleging that he was taken away by the Police of Task Force on 12.2.2007 from his residence at about 6 am and wrongfully detained him at the Task Force Office, Begumpet Police Station.

The Inspector of Police, Task Force, Begumpet, Hyderabad filed a counter-affidavit, inter alia, stating that the detenu was moving freely attending his day-to-day work, that he caused the production of the detenu before the Mandal Executive Magistrate, Saidabad Mandal, Hyderabad who directed the Deputy Mandal Revenue Officer, Saidabad Mandal to enquire and record the statement of the detenu. Accordingly, the Deputy Mandal Revenue Officer recorded the statement of the detenu on 26.2.2007 who stated that he left the house in connection with his dairy business without intimating his family members. Obviously, as he did not return back to his house in time, his wife might have issued the telegram and that he was not taken away by the police nor he was detained by the police.

Since there was a categorical averment made by the petitioner in the statement recorded by the Deputy Mandal Revenue Officer which was countersigned by the Mandal Executive Magistrate that he

was moving freely and he was not under illegal custody of the police, we do not see any necessity to keep the matter pending. In the circumstances, the Writ petition is dismissed.

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D.S.R. VARMA, J

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6th March, 2007 **D. APPA RAO, J**

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